THE HONOURABLE SRI JUSTICE V. ESWARAIAH

WRIT PETITION No.25573 OF 2005

Dated: 01-12-2005

Between

Mohd. Basharathuddin Khan, S/o. Late Khaja Moinuddin Khan, Occ: Landlord, R/o. H.No.3-6-129, Aziz Gulshan, Hyderguda, Hyderabad, rep. through GPA Mohd. Naseeruddin Khan.

…PETITIONER

AND

The Andhra Pradesh State Wakf Board, Rep. by its Special Officer, Having its office at Haj House, Nampally, Hyderabad.

…RESPONDENT

ORDER:

Petitioner seeks a Writ of Mandamus to direct the respondent to consider the application dated 16.03.2005 for his appointment as Mutawalli of Sultan Bagh Mosque and Graveyard being the legal heir of Late Gulam Dastagiri Saheb (Wakif).

Petitioner submits that he is legal heir of Late Khaja Moinuddin Khan who was managing the said mosque and graveyard as Mutawalli. It is submitted that originally one Gulam Dastagiri Saheb was the absolute owner and possessor of the lands in Sy.No.181 and 182/2, situated at Kavadiguda, Sultan Bagh, Hyderabad. It is submitted that the petitioner filed an application dated 16.03.2005 before the respondent to consider his case for appointment as Mutawalli of the said Mosque and graveyard. It is further submitted that though the application was filed on 16.03.2005 the respondent has not considered and passed

appropriate orders.

Without expressing any opinion on the merits of the case and the contentions of the petitioner and having regard to the facts and circumstances of the case, the respondent is directed to consider and dispose of the application of the petitioner dated 16.03.2005 in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of.

_____

V. ESWARAIAH, J

December 1, 2005

DSK